

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

In the Matter of the:

Petition of the City of Madison for the Alteration of the Public Crossing of the Wisconsin & Southern Railroad, LLC Tracks with North Shore Drive in the City of Madison, Dane County

9170-RX-308

NOTICE OF INVESTIGATION AND HEARING
AND ASSESSMENT OF COSTS

By letter dated September 30, 2014, the City of Madison petitioned the Office of the Commissioner of Railroads (OCR) pursuant to Wis. Stat. §§ 195.28 and 195.29 for the alteration of a public crossing of the Wisconsin & Southern Railroad, LLC (WSOR) tracks with North Shore Drive in the City of Madison, Dane County (crossing no. 391 716F / MP 138.55). The City of Madison plans to construct a sidewalk along the north side of North Shore Drive to connect the existing sidewalk along Proudfit Drive at Lorillard Court to the Southwest Path.

The issues for the hearing are:

1. Would alteration of the North Shore Drive crossing promote public safety and convenience?
2. Whether establishment of the crossing would be advisable under all the circumstances.
2. What warning devices would be necessary to adequately protect and promote public safety?
3. How shall the costs of the crossing construction be apportioned?

The City of Madison shall have the burden of proof on all issues.

If this proceeding is contested, it is deemed to be a Class I proceeding as defined in Wis. Stat. § 227.01.

PLEASE NOTE: The Office will hold a public hearing at the **Office of the Commissioner of Railroads, 610 N. Whitney Way, Room 110, Madison, Wisconsin, on January 27, 2015, at 10:00 a.m.**

PLEASE NOTE: The Office finds that the expenses which are reasonably attributable to this investigation will be assessed against the Wisconsin & Southern Railroad, LLC in accordance with Wis. Stat. § 195.60, Stats., and Wis. Admin. Code § RR 2.04.

Upon reasonable notice, the Office will accommodate the needs of disabled individuals. Contact the Office at (608) 266-9536, (608) 267-1479/TTY, or (Fax) (608) 261-8220, or by writing to the Office at 610 N. Whitney Way, Room 110, PO Box 7854, Madison, Wisconsin 53707-7854.

The OCR now publishes all notices, orders, proposed decisions and final decisions on the Internet. These documents may be accessed at either <http://ocr.wi.gov/apps40/dockets/default.aspx> or on the Public Service Commission's website at

<http://psc.wi.gov/>

Please contact the OCR staff with any questions, at (608) 266-0276.

Dated at Madison, Wisconsin, January 5, 2015.

By the Office of the Commissioner of Railroads.



Douglas S. Wood, Hearing Examiner

9170N308 /dw